

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

8 || JOHN JOEY MARKS,

Petitioner,

2:17-cv-01413-JCM-PAL

10 | VS.

ORDER

11 || BRIAN WILLIAMS, *et al.*,

Respondents.

15 In this habeas corpus action, brought pursuant to 28 U.S.C. § 2254, the Court appointed
16 counsel for the petitioner, John Joey Marks. *See* Order entered June 1, 2017 (ECF No. 3). On
17 June 23, 2017, with counsel, Marks filed a first amended petition (ECF No. 7). Marks also filed a
18 motion (ECF No. 10) requesting leave of court to file a second amended habeas petition. The Court
19 granted the motion for leave to file a second amended petition on July 3, 2017, and ordered Marks to
20 file the second amended petition within 120 days -- by October 31, 2017 (ECF No. 11). On
21 November 1, 2017, the Court granted petitioner's motion for extension of time and extended to
22 January 29, 2018, the time for Marks to file his second amended petition (ECF No. 16).

23 On January 26, 2018, Marks filed a motion for extension of time (ECF No. 18), requesting a
24 second extension of time, of 30 days, to February 28, 2018, to file his second amended petition.
25 Marks' counsel states that the extension of time is necessary because of her obligations in other
26 cases, and because of the work she has had to do to prepare the second amended petition in this case.

1 She states that respondents do not oppose the motion for extension of time. The Court finds that the
2 motion for extension of time is made in good faith and not solely for the purpose of delay, and that
3 there is good cause for the requested extension of time. The Court will grant the motion for
4 extension of time.

5 The Court intends that neither this extension of time, nor the orders of July 3, 2017, and
6 November 1, 2017 (ECF Nos. 11, 16), will have any effect on the running of any applicable
7 limitations period.

8 *The Court will not look favorably upon any further motion to extend this deadline.*

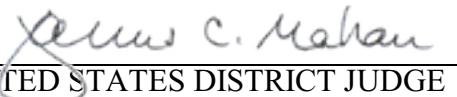
9 **IT IS THEREFORE ORDERED** that petitioner's Motion for Extension of Time
10 (ECF No. 18) is **GRANTED**. Petitioner will have until and including **February 28, 2018**, to file a
11 second amended petition for writ of habeas corpus.

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13 Dated February 5, 2018.

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UNITED STATES DISTRICT JUDGE

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